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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

March 15, 2013

CERTIFIED MAIL RETURN RECEIPT
7004 2510 0004 1824 6923

Kevin Butters
Towers Sand and Gravel, LLC
760 North Harrisville Road
Harrisville, Utah 84404

Subject: Division Directive to Provide Clean Copies of NOI and Bonding Documents, Towers Sand and Gravel LLC, Towers Sand and Gravel Mine, M/057/0006, Weber County, Utah

Dear Mr. Butters:

On January 17, 2013, the Division of Oil, Gas and Mining sent you a Notice of Tentative Approval for the referenced mining operation. The public comment period ended on February 25, 2013. No adverse comments were received. The Notice of Tentative Approval enumerated several items that needed to be provided prior to the issuance of final approval. To date, the Division has not received any of the items or received any correspondence regarding them. Final approval could be issued had the Division received these items.

By April 1, 2013, Towers Sand and Gravel LLC is hereby directed to:

1. Provide two copies of the complete and corrected plan. When final approval is issued, one copy will be stamped "approved" and returned to you for your records.
2. A signed and notarized reclamation contract (enclosed). A reclamation contract was provided previously, but some of the language in the contract had been altered to account for the lack of an approved plan.
3. A signed and recorded trust deed for the full amount of the value of the Klassy-SPS Properties property. The trust deed needs to give the date of the new reclamation contract. The Division has a trust deed dated March 28, 2012, but it indicates the



4. The following modifications are needed for the title insurance policy:
 - a. The proposed insured needs to be, "The State of Utah, Division of Oil, Gas and Mining."
 - b. Schedule B, Section I: Remove the first paragraph or confirm that the Notice of Intention to Commence Large Mining Operations and obligations under the reclamation contract are now due and owing.
 - c. Schedule B, Section II: Remove items 11, 12, and 13. Alternatively, 1. Provide details as to item 11; 2. Show what lands or portion of the legal description is included in the order of occupancy; and 3. Provide details of item 13.
5. Please also clarify that the grantor is paying the title insurance fee of \$4,135.00.

Failure to provide these items in the time frame specified may result in the Division taking formal enforcement action, including, but not limited to, issuance of a cessation order (including associated civil penalties), an order to begin reclamation immediately, and/or other lawful remedies.

Thank you in advance for your prompt attention to this matter. Please contact me at 801-538-5261 or Lynn Kunzler at 801-538-5310 or if you have questions regarding this letter.

Sincerely,



Paul B. Baker
Minerals Program Manager